



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*United States District Courthouse
300 Quarropas Street
White Plains, New York 10601*

March 26, 2019

BY ECF

The Honorable Judith C. McCarthy
United States Magistrate Judge
Southern District of New York
300 Quarropas Street
White Plains, New York 10601

Re: *United States v. Daniel Pichardo, et al., 19 Mag. 2905*

Dear Judge McCarthy:

The Government writes to notify the Court of an unintentional misstatement in the above-captioned complaint, which was sworn to by Task Force Officer Michael O'Rourke on March 22, 2019. The complaint includes the following footnote, fn. 2, in reference to a "confidential information" [sic – this was intended to read "confidential informant"]:

CW-1 is currently charged with federal narcotics and firearms charges. CW-1 is cooperating with law enforcement in the hopes of receiving leniency for the charges. CW-1 has previously provided verified, corroborated information that has been useful to law enforcement.

Complaint ¶ 7 n.2. Upon closer inspection, this language was copy-and-pasted from Task Force Officer O'Rourke's description of CW-1 – namely, the cooperating witness described in

Complaint ¶ 6 n.1. In fact, the confidential informant used in this case has a different criminal history, and the complaint should have read:

CI-1 was previously arrested and prosecuted for charges; he has served time and has no open charges. CI-1 has been working as a paid confidential informant for law enforcement for the past few years, and has previously provided verified, corroborated information that has been useful to law enforcement.

The Government apologizes to the Court for the inconvenience.

Respectfully submitted,

GEOFFREY S. BERMAN
United States Attorney

by: /s Samuel L. Raymond
Samuel L. Raymond
Assistant United States Attorney
(914) 993-1946

cc: All Parties (by ECF)